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Department Of Ecology
Shorelands and Environmental Assistance Program

Coastal Zone Management
Section 306, 306A, 309 and 6217 Grant

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Section "A"

Performance Report
For the period January 1, 2002 through June 30, 2002

2nd Semi-Annual Report

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Washington Shorelands & Environmental Assistance Program
FFY 2001 Coastal Zone Management Grant
Sections 306/306A/309/6217

Table of Contents

Section A

Chapter 1 -- Section 306

Task 1.1 Coastal Zone Management	3
Task 1.2 Shoreline Management	6
Task 1.3 Wetlands Management	13
Task 1.4 Floodplain Management	19
Task 1.5 Federal Permitting	20
Task 1.6 Padilla Bay Reserve.....	21

Chapter 2 -- Section 309

Task 2.1 Implementation of Legislative Changes to the Shoreline Management Act..	22
--	----

Chapter 3 -- Section 6217

Task 4.1 Managing Nonpoint Pollution in the Coastal Zone	23
--	----

Attachment 1

Performance Report-Local Government Grants

Section B

Table 1 Shoreline Permits.....	1
Table 2 Shoreline Hearings Board	2
Table 3 Shoreline Enforcement Actions.....	2
Table 4 Shoreline Master Program Amendments..	2
Table 5 Direct Federal Agency Activities-Section 307(C) (1) and (2).....	3
Table 6 Federal Licenses and Permits-Section 307(C)	4
Table 7 Federal Assistance to State and Local Governments	4
Table-8 SEPA Information	5

Chapter 1 -- Section 306/306A

Task 1.1 Coastal Zone Management

Coastal Zone Management Grants to Locals

See Local Government Grant Chart attached

Routine Program Changes

Filing RPCs of state approved Shoreline Management Master Program Amendments has been on hold awaiting NOAA's development of a process that will meet ESA requirements.

Coastal Planners Meetings

During the first half of 2002 two Coastal Planners Group meetings were convened. The winter 2002 meeting, held in Everett on the theme "Perspectives on Project Permitting Under ESA Listings." Presentations delivered on "ESA Goals: Legal Requirements and Realities (National Marine Fisheries Service); "Restoring Salmon Habitat" ((Skagit Fisheries Enhancement Group); "The Port of Everett Experience with Maintenance and Restoration Projects;" The City of Everett Experience with Maintenance Projects;" and "The Port of Seattle Experience" provided a broad spectrum of views on ESA demands and compliance. Fifty-one persons registered, and 32 persons attended.

The Spring 2002 meeting was held in Mount Vernon on the theme "Inventory and Assessment of Shoreline Development: Marine and Lake Shores." During the morning the emphasis was on marine shorelines using the City of Port Townsend as a case example with presentations by the Port Townsend Shoreline Planner and the City's consultant for shoreline inventory. During the afternoon the emphasis was on freshwater shorelines using Lake Washington as a case example with presentations by City of Seattle staff and consultants to the City of Bellevue and King County. Sixty-two persons attended the meeting. Attendees were drawn largely from the ranks of local and state agency permit reviewers and long-range planners. This was one of our more successful meetings in that at 3:15 there were still 36 persons in attendance, 57 percent of the total attendance.

Assessing Marine Habitat Under the New SMA

The past six months have been spent developing additional data sets for use in assessing marine habitat and the cumulative impacts of shoreline development. Geospatial data from the Department of Ecology's Southwest Washington Coastal Erosion Study and Shorelands and Environmental Assistance Program were processed to develop useful products for local level planning and management applications.

Geospatial data developed by the Southwest Washington Coastal Erosion Study was converted to appropriate formats for use by city and county planners. Meetings were held with planning and GIS staff from Grays Harbor County, Pacific County, the City of Long Beach and the City of Ilwaco. Data CDs (two copies) were distributed at these meetings and an archive copy remains on file with the Department of Ecology's Coastal

Monitoring & Analysis Program. The meetings provided a forum for discussing the data being provided (appropriate uses, data scale, data limitations, uncertainty, etc.), ideas for ways to integrate available data into planning applications such as updating Shoreline Master Programs, and existing data gaps in local GIS databases. When possible, additional data was sent to local staff to fill in the identified data gaps. The table below lists the Southwest Washington Coastal Erosion Study data sets provided to local constituents.

Contents of data CDs

Aerial Photographs: 1995 Black & White, 1999 Color

Shoreline and grass line data:

T-sheets: 1870s, 1920s, 1950s

Aerial photography: 1942, 1960s, 1974, 1980s, 1995, 1997, 1999

Seashore Conservation Line: 1968, 1980, 1990, 2001, 2001 grass line, 2001 monuments

Survey sites:

Benchmarks: geodetic control network for the Columbia River littoral cell

CLAMMER: 3 dimensional surface map survey locations

Transect: cross-shore beach profile survey locations

Metadata: a draft of FGDC compliant metadata was provided for each of the data sets

Additional data sets that were prepared for distribution to jurisdictions throughout Washington's coastal zone include 1940s era aerial photography and 2000 era oblique air photos. A catalogue was developed for the 1940s era aerial photography for use in an Internet browser to provide easy access for staff. This set of photos is useful to demonstrate baseline conditions for staff interested in assessing landscape changes for cumulative impact assessment and planning decisions. The photos are provided in a variety of formats to facilitate review in an Internet browser and printing in small format. A methodology was developed to prepare the 2000 era oblique air photos for viewing on the Internet and for distribution on CD-ROM. A tool was created in Adobe Photoshop to process the photographs and produce consistent output. Approximately one-third of the photographs (9,000) have already been collected and processed and are currently available for distribution. This tool will be useful for the remaining photographs that will be collected over the next few years.

Online Coastal Information and Education

An Internet site was developed for the Southwest Washington Coastal Erosion Study to detail the Study goals, research activities, available maps, products and publications, and to present the preliminary results of this five-year project. The Internet site presents maps and publications for download in Adobe Acrobat format and a data catalogue with draft FGDC compliant metadata. This site is currently under review and will be posted in the coming months at <http://www.ecy.wa.gov/programs/sea/swce/index.htm> to completely replace the existing information.

Information Newsletter

The Shoreline and Environmental Assistance program has shifted our outreach priorities and invested more in the web site. We have developed the following informational websites: :

<http://www.ecy.wa.gov/programs/sea/SMA/guidelines/newguid.htm>

<http://www.ecy.wa.gov/programs/sea/SMA/guidelines/updates.htm>

<http://www.ecy.wa.gov/programs/sea/SMA/guidelines/interim.htm>

<http://www.ecy.wa.gov/programs/sea/SMA/guidelines/inventoryanalysis.html>

We will be releasing a Coastal Web Site soon.

Coastal Air Photo Monitoring

Vantage Point Photography flew at low tides throughout April, May and June and shot the Juan de Fuca shoreline of Clallam County and three islands Blake, Sinclair and Cypris. He is continuing to shoot the remaining 915 miles of coastline in San Juan County, the Pacific coast of Clallam, Jefferson, Grays Harbor, Wahkiakum and Pacific counties, Grays Harbor and Willapa Bay estuaries, the Columbia River shoreline of Pacific and Wahkiakum counties. All photos are delivered to us digital images in three different sizes (thumbnail, "web-sized", and large) along with each photo global position coordinates. We hope to complete the entire shoreline this summer with funds from next years CZM award.

Task 1.2 Shoreline Management

Shoreline Permits

See also Table 1 & 2 in Section B

Lewis & Clark Discovery Trail/Pacific County and Long Beach: Perry Lund and Kim Van Zwahlenburg participated in meetings regarding trail siting, wetland impacts and public access. Proponents were on a tight time schedule but appear to have met their goal. The last shoreline permit on this proposal was filed in May with construction likely to begin this summer. Completion is scheduled in time for the Bicentennial celebration. Early involvement and discussions helped this project move forward.

4th Avenue Bridge/Olympia: Construction of the bridge to replace the structure damaged by the 2001 earthquake has begun. There were numerous letters and phone calls from the local unions regarding alleged violations of environmental permits. In light of the attention focused on the project SWRO staff participated in a site inspection with Kerry Carroll, Water Quality Program. The project manager Tom Frare escorted us around the site. Staff identified areas that they felt merited additional attention, either because of an existing problem or the potential for future problems. DOE findings were documented in a letter and the contractor responded in writing a week later detailing actions taken. Overall, the site was in pretty good shape and there seemed to be a willingness to ensure permit conditions are not violated.

Salmon Beach/Tacoma: Kim Van Zwahlenburg recently attended two meetings on the issues facing this community of approximately 80 over water homes located at the base of an extremely unstable marine bluff along the Tacoma Narrows. The first meeting involved representatives from Ecology, Washington Department of Fish & Wildlife (WDFW), Tacoma and the Corps of Engineers. The Habitat Manager from WDFW gave a presentation on near shore habitat and the negative impacts Salmon Beach development has on this critical area. All resource agencies have been struggling with the permit by permit approach to dealing with issues on this mile long stretch of beach and are hoping to begin a dialogue with residents on a more comprehensive and predictable way to address development proposals.

The second meeting involved the City, homeowners and Ecology to discuss ways to resolve the portion of the bluff that was damaged by the Feb. 2001 earthquake. A significant amount of material fell to the beach cutting the sewer and power lines and destroying at least one cabin. Both the sewer and electrical lines have been reinstalled in a temporary manner until the slope stability issue is resolved. The City has made it clear that the Salmon Beach community is responsible for the slope stabilization but solutions have been slow in coming. Ecology is concerned about the precedent-setting nature of the proposal (in a Conservancy shoreline environment) which consists of excavation of approximately 30 to 40,000 cubic yards of material to reach a 2:1 angle of repose on the upper slope. The City has similar concerns but is also very worried about the risk to human life and property posed by the large quantity of unsupported sandy material just waiting to fall. They want any work done on the slope to be completed by September. [Despite the urgency of this issue there has been no additional information provided by

the homeowners as of early July. It is not clear how this will be resolved in the near future.]

Olalla on Lala Cove, Hood Canal Kitsap County: this project needed a variance to the 50 ft. setback requirement. Ecology staff worked for several years to help the applicants make reasonable use of their very hilly waterfront property. They will be restoring a creek which had been largely asphalted as a drainage ditch as mitigation for their reduction of setback requirements. Other sites on the property were too steep and narrow to build without large amounts of armoring.

South Park/Georgetown Bridge replacement (Seattle): This very old bridge was compromised in the Feb. 28, 2001 earthquake and will need to be reconstructed. This is an industrial and working class area who does not want their business community disrupted by a very large bridge which may bypass some of the community by the expansion of the bridge approaches. I am working on the bridge permit as largely a repair/replacement, but want to factor in the community's concerns for business district vitality and more public access to the Duwamish River around the bridge approach site.

Lakeshore Estates

After working over many months with the "Lakeshore Estates" architect/developer and the City of Redmond, Ecology (Joan Velikanje) granted conditioned approval of a shoreline variance to construct a new community dock associated with a shoreline substantial development permit for a 17-lot single-family residential subdivision on 8.4-acres. The final pier and float configuration is designed to minimize over-water shading impacts to the seasonal aquatic wetland community of Lake Sammamish near mouth of the Sammamish Slough.

The originally proposed dock design consisted of a 6'x53' fixed ramp connecting to a 6'x163' angled pier with two 8'x26' finger piers attached at either end. Five additional 3'x20' finger piers provided access to 12 moorage slips. The total dock extended no further water ward than 80' from the ordinary high water mark (OHWM), as permitted under the City Shoreline Master Program, thereby eliminating the requirement for shoreline variance approval. The footprint of the dock was entirely within the aquatic wetland community and no mitigation had been proposed.

The final agreed-upon dock design consists of a 6'x30' ramp connecting a 6'x250' elevated walkway, a 3'x20' ramp and a 6'x80' moorage float. The walkway, elevated four feet above the ordinary high waterline, is supported by a total of seven 6" diameter coated steel pilings. The dock design minimizes shading impacts to the lake and provides for placement of the moorage float outside (or water ward) of the aquatic wetland community, eliminating the requirement for maintenance dredging. The permit is further conditioned to require a series of floats and buoys to be placed along the approximate water ward edge of the aquatic community in such a manner as to create a 30-foot wide mooring/navigation channel that will discourage boat use of, and subsequent impacts to, the wetland.

Alaskan Way Viaduct and Seawall repair/replacement: This section of Highway 99 was damaged in the Feb. 28 earthquake, and is undergoing a complicated agency and public process to determine what the solution should be. Numerous scenarios have emerged as front runners, ready to be included in a comprehensive EIS and selected by the various agencies. Lead agency is the Washington Department of Transportation, Federal Highway Commission, and City of Seattle. Since almost this entire viaduct, from West Seattle to Belltown, is in shoreline jurisdiction, NWRO staff has been involved in the process since June of 2001. Staff is involved in RALF (Resource Agency Leadership Forum) group and will review the permit.

Because the Seawall and/or the viaduct replacement alternatives require over height aerial construction or tunneling, the project is likely to need a Conditional Use Permit/and or a Shoreline Variance.

NWRO staff is also working with Bainbridge Island to permit an existing kayak rental concession which has been operating for several years from a float moored at a public dock by agreement between the parties. It currently has no shoreline permit or HPA and there have been several complaints for various reasons.

Compliance and Enforcement

See also Table 3 in Section B

The Compliance Workgroup continues to meet monthly and do peer review of both enforcement and permit decisions which are of statewide interest. We are currently in the midst of our third year of monitoring compliance of a substantial subset of those shoreline permits for which Ecology has final authority.

Below are summaries of the penalties, orders and notices of correction issued in the coastal zone for the first half of 2002:

Ecology Docket Number DE 02SEAR-3463 –Order & \$10,000 penalty issued to **Trask** for unpermitted clearing, grading, and road construction at Termination Point on Hood Canal. \$9,000 of the penalty will be waived if Trask removes the illegal road fill before October 31, 2002.

Ecology Docket Number DE 01SEA-SR-3408 – Amended Notice of Correction issued to **Mike Goode** for unpermitted Construction and Failure to Implement a Revegetation Plan at Cross Creek Court Residential Community, a subdivision located adjacent to South Prairie Creek in the Town of South Prairie

Ecology Docket Number no docket assigned - Notice of Correction-Ben Jager for stream bed/shoreline grading and fill violation issued on August 26, 1999. Final compliance with all restoration/mitigation requirements acknowledged by e-mail correspondence to Jagers dated 4/23/02.

Ecology Docket Number 01SEANR-3375 - Notice of Correction-Michael Haun issued December 6, 2001 for unauthorized clearing, grading and deposition of fill on

steep, unstable slope. This is an on-going issue, with subsequent Ecology correspondence to Mr. Haun and interaction with Island County staff during reporting period. Appears to be slowly moving towards compliance.

Gwendolyn Stoller, Michael Orr (her contractor): Issued a Shorelands Field Warning Letter on July 26, 2001 for unauthorized grading and fill in shoreline. Staff has since been working with the County, WDFW and Ms. Stoller and her attorney to resolve the matter. In June 2002 the County signed a settlement agreement with Ms. Stoller wherein we achieve almost all our objectives. Ecology participated in settlement of this case throughout the process but the County took the lead role. On April 30, 2002, Ecology sent a **Shoreline Cease and Desist Order to Michael Orr (Docket #02SEANR-3955)** ordering him not to undertake future shoreline work without proper permits, to conform to permit requirements, etc.

Scheurlein (Orr Creek): This is a recent problem involving poor coordination among County departments as much as poor judgment on the part of the developer, Mr. Scheurlein. Mr. S. was required to take a stream running through his property out of its cement box culvert, create and vegetate a new stream bed and bank, etc. as mitigation for a variance to build his new home five feet from said creek! However, no one appears to have considered that the realigned creek might spread out a bit further laterally than the culvert had allowed it to and as a result, the creek is currently flowing directly against the south wall of the house. I'm working with the County and WDFW to come up with a mitigation package that will allow the Scheurleins to keep their house but will further enhance the creek to improve habitat and allow fish passage. We may need to issue a NOC.

Waterman: In December 2001 or January 2002, Danny Waterman decided to "repair" an old dirt road to the beach that had previously allowed access to a commercial pier from which the Watermans transported sawdust from their off-site mill to barges. In the process, he harvested as many as 100 trees from a steep unstable slope, and graded away vegetation from the road corridor, resulting in erosion and habitat loss. There is a nearby eagle nest and debris was also deposited in a Type 4 stream. The County got involved in February and Ecology, shortly thereafter. To date, we've participated with the County in requiring certain information from the violators (geotechnical report, revegetation/restoration plan, etc.). WDFW and Ecology believe that mitigation should include removal of the pilings supporting the derelict pier as well as removal of old vehicles found in the stream ravine. I'm hopeful that by working together, the three agencies can obtain what they want in terms of restoration and mitigation without taking formal enforcement action. This is a high profile case that has already drawn considerable attention, and has generated input from at least one state legislator.

Baby Island Beach Club: In May, a Poulsbo contractor installed a vinyl sheet pile bulkhead at least 3.5 feet seaward of the authorized (by shoreline exemption and HPA) location. He also failed to seek a required building inspection or to contact the County or WDFW when he encountered unexpected site conditions that lead him to relocate the bulkhead. WDFW is strongly of the opinion that the bulkhead should be required to be

relocated landward and that the applicant and its contractor should be required to do extensive mitigation (removing old creosote pilings and cement from the tidelands and doing something to stabilize the bluff at the east end of the bulkhead which is currently eroding rapidly as a result of the bulkhead's design. Ecology and the County are still studying the matter but tending towards issuance of a joint Notice of Correction that would require bulkhead relocation and ultimately, some kind of mitigation.

Scatchet Head bulkheads: This is another recently discovered (by WDFW) situation in which several rock bulkheads (only one of which was authorized by the County and none of which received HPAs) were rebuilt along a long stretch of shoreline. Old rock that had tumbled from previous rock bulkheads in the same locations was not removed, with the result that the beach has in effect become "fortified" with a wide rock revetment. Stairs extend beyond the bulkheads in several locations. It appears that once we have more information about the actual lots and property owners involved, we might want to issue a joint County/Ecology NOC requiring removal of the old rock and giving everyone in the vicinity notice that in the future, no such "repairs" can be made without proper authorizations. In addition, we'll want to assure that all future rock walls in this area are engineered to better withstand winter tidal action.

Shoreline Master Program Review

See also Table 4 in Section B

DOE Action

Approved--San Juan County amendment for the creation of *Marine Protection Areas* shoreline environment.

Approved--City of Everett total rewrite of amendment with DOE required changes.

Approved--Town of Woodway total rewrite of amendment with DOE minor changes.

Approved-- Town of LaConner: DOE recently completed a small "administrative correction" to the Town's SMP approved on October 19, 2001. A shoreline area designated as Urban Industrial in the last amendment process had accidentally been omitted from the designation criteria for the Urban Industrial environment. The correction was made official in a June 25, 2002 letter to the Town from Tom Fitzsimmons.

Drafts Reviewed

San Juan County--Reviewed and commented on draft amendment related to permit administration.

City of Mukilteo--The City submitted an "agency review" draft this spring containing inventory data but not appearing to be based on resource opportunities and constraints identified in the inventory. In addition, inventory information is confusing, incomplete and doesn't clearly inform the reader about shoreline resources within the City's shoreline jurisdiction. In several discussions during the reporting period, we suggested a number of changes to enhance the usefulness of the SMP in future decision-making and to make it a more user-friendly document. These changes, however, will delay SMP

completion, necessitating a change in the CZM grant scope of work to realistically reflect work that can be completed before the end of the grant in November 2002. In spite of this "setback", we believe the City is committed to completing the new SMP.

City of Monroe--The City has submitted a draft copy of its shoreline inventory assessment and is close to completing a shoreline "atlas" which will utilize aerial photos to display resource data gathered during the inventory process. Ecology has recommended a number of changes to both products that will delay their completion but will result in a better foundation for the new SMP. To accommodate these changes, the City is seeking a six-month extension to its CZM grant.

Note: Both Mukilteo and Monroe are leaders in trying to implement SMP guidance from the currently invalidated Guidelines. Ecology's own "learning curve", particularly with respect to how to carry out shoreline inventories which will logically and sufficiently inform the SMP process, has occurred on a parallel track. As a result, the Ecology staff has not been able to influence the SMP process for these "early" jurisdictions to the extent that it will be able to with later SMP updates. Sultan, for example, will benefit from the considerable knowledge that the Guidelines Outreach and Assistance Team ("GOAT") has gathered from working with the relatively few jurisdictions currently preparing SMPs.

City of Sultan--The City has just been awarded a CZM grant to prepare a new SMP. NWRO staff currently engaged in discussions with planning director Rick Cisar regarding the scope of work and whether the City should consider a phased approach, beginning with a more detailed inventory than they may have anticipated doing. Tim Gates, Cinde Donoghue and Alice Schisel will meet with the City in early August to resolve inventory issues and finalize the scope of work.

City of Redmond--Remaining staff at NWRO has just taken over this assignment from Marcia Geidel. The City has been working on a new SMP since 1997 and is currently involved in drafting policy and regulatory language. DOE being sent copies of draft work to date. They hope to complete the SMP and submit it to Ecology by December 2002, a schedule they admit is "optimistic".

City of Issaquah--NWRO currently reviewing the City's "Existing Conditions Report and Habitat Evaluation" submitted in May 2002 and will meet with the City and GOAT in the near future to discuss it.

City of Seattle 3 amendments were received--One withdrawn because they did not like Ecology's substitute language regarding building partly inside and partly outside Shoreline jurisdiction; when commencement of construction may occur and what ramifications for beginning before appeals are concluded; and the reduction of setback from public area waters from 15 to 5 feet for private residential docks. Setbacks from other residential boundaries would remain at 15 feet. Ecology had recommended language which reflected a Seattle court decision regarding a hotel development on the Seattle Waterfront-Marriot Hotels; commencement of construction language from the

SMA - RCW 90.58, and the deletion of the setback reduction because it could hamper the public access and use of public shorelines and water.

Two others, defining on-board uses for floating structures and regulations for telecommunications antennas in shoreline jurisdiction are currently under review now.

Ecology has discussed the benefits to the City, Public, and coastal/shoreline resources of re-convening a Shoreline Citizen's Advisory Committee to go forward with a proposed comprehensive amendment to their SMP. They have been making about 5-7 "minor" amendments per year for several years, and they have not been given analysis in regard to their cumulative impact on the shoreline and public's access to the shorelines and waters of the city and state. These amendments are often part of "omnibus ordinances, which include a conglomeration of other municipal issues, which can lead the public to overlook the importance of the proposed changes.

City of Port Orchard--Completing their shoreline inventory in preparation for their new maps and revised shoreline designations. This work is preliminary to their Shoreline Master Program Amendment.

City of Bainbridge Island--Their Steering committee and ad hoc agency representatives completed the goals and policies for their SMP Amendment in May. They are conducting public meetings this summer and will commence in the fall of 2002 to revise their development regulations.

Under a separate grant, they are completing their shoreline inventory and revising their maps. These will be integrated into the Public Information workshops and hearings and will be used for reference in the revising their development regulations.

City of Bremerton--is beginning their scope of work to determine tasks for their SMP amendment.

City of Tukwila--is beginning their scope of work to determine tasks for their SMP amendment

Task 1.3 Wetlands Management

Wetlands Technical Assistance

Del Mar Communities – NWRO staff visited the site on Jan 4 to determine the OHWM. The site is on Telegraph Bight at the far west end of Fidalgo Island. The OHWM was pretty clear; staff based it on the mark on the vegetation. The vegetation was ivy and the mark was where the ivy vines were dead from what appeared to be salt water. It also matched the approximate elevation on the other side of the bluff wall. Also, the property owners on top of the bluff had put in a fill pad well into the County Protected Critical Area, or the buffer of the shoreline. SMA staff is trying to get them to replant the PCA with native plants. They have put in boxwood. After much deliberation with the County and the property owner we were able to get a landscape plan that was acceptable to revegetate the buffer on the bluff.

Fir Crest Estates – This project in Anacortes initiated phone calls to NWRO staff from nearby residents in early January. The project involved a residential development 25 feet from a Category II forested wetland, crossing of the wetland by a road, and blasting a rock outcrop above the wetland to put more houses. Fortunately, it had not gone through SEPA yet, staff was able to provide substantial comments on the MDNS. Staff called the City to get additional information, as the SEPA we received only contained the checklist, no maps or supporting documents (which is a recurring problem with many SEPAs). So, the same day the SEPA comments were due, a hearing was held in front of a hearing examiner. Based on comments in DOE letter and the comments from neighboring property owners, he determined that the entire project should require an EIS. Soon after, staff received the withdrawal of the MDNS and a scoping notice with comments due on Feb. 23. NWRO staff sent in a scoping notice comment letter requesting that an alternative should be developed that incorporates low impact development and 100-foot buffers around the Category II forested wetland, among other things. In early April, DOE received a call from the developer who wanted Ecology approval of the newly revised site plan. On April 26th, staff met him on the site. The portion of the project that involved blasting of the rock outcrop had been removed, which meant that the wetland crossing was no longer necessary. The buffer was at least double the original and to be enhanced with native plant species. It was a much improved site plan over the original.

Joe Woodmansee, Mount Vernon – The first time DOE staff visited this site was in June 1998. At that time it was a roughly 7-acre forested wetland that is associated with Maddox Creek in Mount Vernon. The land owner wanted to develop it into single family homes. Staff gave him some options how to approach the regulatory side of it, including mitigation, conservation easements, passive recreation area, etc. The next time staff went by the site; it had been logged and partially cleared. The Corps took regulatory jurisdiction and the site had a six year moratorium on it with the mandate to let it naturally revegetate. In September 2001 DOE received a call from a City inspector who indicated that a Mr. Woodmansee had put a large detention pond on the site for his adjacent development. I went to the site several times in the fall and took photos while communicating with the City and the Corps, who still had authority over wetland impacts on the site. Every time DOE drove by and took photos, the pond seemed to get larger. In

March 2002 DOE conducted a site visit with the Corps, EPA, Joe Woodmansee, and about 6 people from the City including the City attorney. The outcome of the meeting was that Joe Woodmansee will have to pull back the extension of his detention pond, which was oversized to accommodate future development (in the once forested wetland). He will still get to keep the pond there, although a smaller one, but no more fill will be allowed there – according to the Corps. This means that the remainder of the wetland must stay intact. DOE staff will be keeping an eye on this site.

Cedar Glen Phase III, Anacortes – NWRO staff visited this site in mid-April at the request of the project engineer and the developer. They wanted to use two existing wetland ponds (that had been excavated for farming years ago) for stormwater detention for their proposed residential development. Staff told them not to do that for two reasons:

1. The ponds would be full of water when they needed them.
2. They are waters of the state and cannot legally be used for stormwater. The ponds have become vegetated with willows and other trees and shrubs and a stream flows through them.

DOE told them to use the ponds as an amenity for the development. They can put a small trail around the buffer and leave it as open space. They like the idea. We will not have jurisdiction over the other wetland impacts because they are below our threshold. They liked that too.

Shoal Bay wetland, Lopez Is. – NWRO staff received a phone call from a consultant who was working for a landowner on the Shoal/Swifts Bay lagoon. Three years ago Erik Stockdale and Susan Myers had done a wetland delineation and OHWM determination at the site for the County to use in future land use decisions. Our conclusions were being contested, and the consultant wanted to know why Susan included the nearshore habitat in the wetland delineation. Susan responded in writing. The County attorney wanted Erik or Susan to appear in the shoreline hearing which was a result of an appeal of the County's variance denial. Staff was reluctant to spend that amount of time, when we already had done the background work, so Erik drafted a Declaration which Susan signed and which said that everything that Susan had written in past letters was true and accurate to the best of my knowledge. The Shorelines Hearings Board upheld the County's decision to deny the variance to develop the land on the spit. The County's attorney was very grateful for our input.

Anacortes Forestlands – NWRO staff got a call from a staff member of the City Forestlands Department asking us to help them with some wetland issues. Susan Myers visited the area in question with them. Two adjacent property owners want two roads, or if they have to only have one, they want it to go between their properties. These properties are both landlocked within the City's forestlands, so the road will have to go through the forestlands. They will probably have to grant an easement for a road at some point. Susan showed them where the wetlands were and what the potential impacts to them from the road may be, and what she thought was the best alternative for avoiding wetlands and huge trees. Susan wrote an e-mail to the forestlands Department as a follow-up to the site visit, which was read in the public hearing the next evening. She soon received a call from one of the landowners who wants the access road and they want

to work with everyone to get it done right. There is much public interest in this project, because many people give money to the forestland fund to help preserve and protect the area.

Model Wetlands Ordinance Training - Erik Stockdale spoke to over 250 attendees of the "Model Critical Areas Ordinance" training workshop hosted by the Office of Community Development in Lynwood. He spoke about changes to the wetlands element of the model ordinance first developed by Ecology in 1991. The training was filmed by the University of Washington cable television program.

San Juan County Training - Erik Stockdale, Hugh Shipman and Bob Fritzen organized a training course for San Juan County staff on how to determine Ordinary High Water marks on marine shorelines. The training was requested by the County's public works department after the department failed to obtain a permit for the construction of a public access staircase on Lopez Island. The training was well attended and received.

Ordinary High Water Mark Training - An all-day training for 25 Snohomish County staff on how to conduct ordinary high water mark determinations under the Shoreline Management Act was conducted by Ecology staff. County biologists appreciated the guidance, and requested additional training in the near future.

Skagit Science Advisory Panel: Superior Court Remands Issue Back to County - Erik Stockdale represented Ecology on the Skagit County "Science Advisory Panel" (SAP). The panel was charged with guiding a science-based buffer program for agricultural lands. The SAP was formed by the County Commissioner's in response to a successful challenge by the Swinomish Tribe and others of the County's critical areas ordinance. The original ordinance exempted buffers on all agricultural lands. As a result of the appeal, the County adopted a subsequent ordinance that requires agricultural landowners to select one of four alternative buffer plans, or be subject to a default buffer plan. The default buffer widths are 200 feet on type 1 and 2 waters, 100 feet on type 3, and 50 feet on type 4 and 5 waters. One of the four alternative buffer plans, the "managed agricultural riparian plan" or MARP was ruled invalid as it was determined to not be supported by "best available science". Landowners are now left with three alternative routes: 1) Signing up with the Conservation Reserve Enhancement Plan with the Skagit Conservation District, and agree to a buffer width based on 90% of the site potential tree height; 2) sign up for a Conservation Farm Management Plan; or 3) submit a "custom buffer plan" for approval by the SAP. The landowner must demonstrate that the custom plan is supported by best available science. To date, approx 128 landowners have signed up with the conservation reserve enhancement plan. Two have submitted custom plans. In April 2002 the SAP was placed on hold by the Skagit Board of Commissioners. The County cited ongoing litigation with the Skagit tribes as the reason to put the panel's work on hold. Panel members were disappointed, as most felt progress was being made on the issues regarding the scientific basis for buffers on agricultural lands. Erik will continue to work with County staff on the issue of "best available science" with respect to wetland and stream buffers.

Thornton Creek Watershed - Erik Stockdale met with Rep. Maralyn Chase (32nd District) at the Meadowbrook regional stormwater facility on Thornton Creek in Seattle, at her request. She wanted to learn more about watershed activities in the basin. Her interest was sparked in part by complaints she has received from constituents regarding development under review in the City of Shoreline farther upstream. Specifically, the City of Shoreline has approved an assisted living facility with a seven foot buffer setback from Thornton Creek.

UPDATE--State Route 2, Woody Debris, and the Seattle Weekly - Eric Scigliano (Seattle Weekly) spoke with Larry Altose and Erik Stockdale regarding a story he is researching on the eastbound State Route 2 Bridge that WSDOT replaced over Ebey Slough near Everett in 1993-94. In 2001 the Sierra Club reviewed Ecology's report submitted to NOAA as part of Ecology's Section 312 evaluation. The report mentioned the fact that WSDOT had altered the design of the bridge after receiving its shoreline permit. The Sierra Club complained, stating that Ecology was not enforcing the SMA evenly by failing to pursue enforcement against WSDOT. Here's what Director Fitzsimmons submitted to the governor in a 5-18-98 weekly alert:

"This is a heads up ... WSDOT rebuilt the eastbound bridge on State Route 2 over Ebey Slough sometime in 1993-1994. In a November 1995 flood, the bridge accumulated a 600-foot long debris jam that threatened the bridge and the adjacent dikes. The jam caused a 2-foot water rise in the channel. WSDOT spent \$100,000 removing the 600-foot long debris jam. WSDOT is now proposing to build a 1000-foot long debris deflector at the upstream end of Ebey Slough, where Ebey Slough splits from the Snohomish River. Approximately 40 percent of the river's flow splits at this point and flows down the slough. The Slough is approximately 12 miles long and provides important habitat to Chinook and other salmonids. The wood debris in the channel is a critical element of salmon habitat in the estuary. The problem is that the debris deflector would essentially starve the slough of the wood debris, thereby reducing the pileup at the bridge. On May 5, 1998, agencies had a meeting at WSDOT with Snohomish County, Fish & Wildlife, and the Corps. Each agency, for their own reasons, told WSDOT that it will be difficult to permit the deflector. WSDOT will do a feasibility analysis on the various alternatives and get back to the group."

We are not sure how far the story will go at this point. Mr. Scigliano indicated he wanted to review Ecology's file on the project. We have not received a copy of the feasibility analysis that WSDOT stated they would conduct. One of the alternatives being considered is reconstruction of the bridge to its original permitted design.

Columbia River Project - Shoreline staff continues to provide technical support to the US ACOE and the sponsoring ports on the proposal to deepen the navigation channel of the Columbia River. This project is entering its sixth year of development and a supplemental EIS is scheduled to be issued shortly that will deal with the issues that were identified as reasons to deny a 401 Certification and CZM Consistency in our 2000 permit decision.

"Joe Johns" stormwater - Perry Lund attended an update and planning meeting for the design of the "Joe Johns" stormwater outfall in Pacific County on the Long Beach Peninsula. Joe Johns will drain an area with a significant history of flooding at the north end of the Peninsula to the Pacific Ocean. The outfall will be located above the OHWM. We had a good discussion of issues and ideas that could improve the review and permitting process when this project is submitted.

Conner Creek - Perry Lund and others, working through the Governor's Office, are reviewing another proposal to redirect and stabilize Connor Creek (the first was presented in 1997). Grays Harbor County is taking the lead on preparing an application for the preferred alternative of moving the mouth of Connor Creek to the position it was in 1987, immediately north of Surf Crest condominiums. Agencies are preparing an information needs letter for the County to clearly state what information we need to conduct a complete permit review.

Westport Golf Course - Perry Lund and others continue to work with the applicants and interveners on the proposed golf course in Westport. We have had several sessions trying to negotiate settlement issues. Unfortunately, the interveners have chosen to abandon the settlement negotiations and pursue their issues with the Shoreline Hearings Board. Specifically, they are questioning the legitimacy of the City's SMP and the designation of golf courses as Public Use Facilities, even if privately owned.

Miller Brewing Company - Perry Lund has been working with representatives of Miller Brewing Company to evaluate water reuse options using wetlands as discharge locations for treated wastewater. Miller is exploring several options to address concerns over the continued discharge into the Deschutes River.

Grays Harbor Pipeline - Perry Lund and Jeffree Stewart met with staff from local, state, and federal agencies to review the location of wetland and water crossings for the proposed Grays Harbor Lateral pipeline in Grays Harbor County. We also visited the proposed mitigation site on the lower Satsop River. We came away with a better understanding of the project and a high degree of confidence that wetland and shoreline issues were being adequately addressed.

Wetlands Function Assessment Project

Ecology continues to maintain a web site and listserve for this project and to provide technical assistance to those requesting help in applying the function assessment methods. No new training workshops were offered during this period

Wetland Mitigation Banking

Due to budget cuts, Ecology has decided not to adopt the final rule for mitigation banking. We finalized the Environmental Impact Statement and have prepared a "final" rule that we can adopt in the future if funding is available to run the program. Staff continued to provide technical assistance to potential bank applicants and to state and

local agencies with questions about banking. We also developed model code language on banking for local governments to use in their wetland regulations.

Wetland Mitigation Evaluation Project

Staff began work on developing a mitigation project compliance tracking program. Draft field evaluation forms were developed and 15 site visits conducted to test the forms and evaluation protocols. Staff also met with Corps and EPA staff to discuss the possibility of developing new joint guidance on mitigation.

Shoreline staff conducted compliance inspections on two permitted mitigation sites. Copies of the compliance reports and letters with findings and recommendations were sent to the applicants and their representatives.

Spencer Island Project

Review of statistical data assessing vegetation information collected from previous sampling years (2000 & 2001)

Wetland Restoration

Wetland restoration efforts continued to focus on integrating landscape-scale concepts into technical guidance for the Shoreline Management Rule. This included technical participation in the Guidance and Outreach Assistance Team that provided assistance to local jurisdictions in applying the concepts during the inventory and submittal stage of Shoreline planning. Part of this effort applied landscape principles to a wetland restoration planning effort in the Drayton Harbor drainage to address water quality impacts to the Harbor. Work continued on developing guidance material for incorporating landscape principles to SEA Program regulatory activities (section 404/401 permits, shoreline permits. This involved two technical workshops to introduce the practical application of landscape concepts to permitting activities, as well as a start on a web-based technical tool to evaluate wetland projects.

Task 1.4 State Environmental Policy Act

See Table 8 Section B

Ecology staff provided technical assistance to local governments, other agencies, and the public on environmental review and SEPA implementation.

For information on SEPA documents acted on by the Agency for this reporting period see Section B Table 8.

Task 1.5 Federal Permitting
Clean Water Act Section 404 Review
See Table 6 in Section B

Federal Consistency Certifications
See Tables 5 & 7 in Section B

Update: Again during this reporting period Southwest Regional staff as well as Headquarter staff dedicated a number of hours coordinating and working with the ACOE (Portland Office), Local Governments and other State Resource Agencies on the Columbia River Maintenance and Deepening Projects.

Task 1.6 Padilla Bay Reserve

Estuarine Education and Information

Staff provided estuarine and watershed education to 247 groups with a total audience of 9,174 citizens. These include schools (K-12), youth groups, English as a Second Language (ESL) groups, teachers, university and college classes, home schools, scouts, AmeriCorps members, environmental educators, citizen volunteers (Beach Watchers), and senior citizens.

Non-chemical *Spartina* Control and Monitoring in Padilla Bay

Survey for the 2002 season took place from May 29 to June 21, 2002. There are four areas of continued infestation: *Spartina anglica* is present at the Swinomish Spit, Telegraph Slough, and the Padilla Bay Gun Club (total of 0.003 acres of *S. anglica*). Approximately a tenth-acre of *S. alterniflora* is present on Dike Island. Small plants were dug during the survey and larger clumps and small clones were dug starting June 26, 2002. Digging and monitoring will continue through September 2002.

Padilla Bay Research Assistantships

Effects of an Exotic Bivalve (*Nuttallia obscurata*) on two established bivalves (*Protothaca staminea* and *Venerupis philippinarum*) in northern Puget Sound, Washington, Jessica Barkas. Extremely high *Nuttallia obscurata* mortality was observed in both study locations and was assumed to be mortality by predation. *N. obscurata* fared best in coarse sediments. Mortality of the native clams was much more variable. Distribution was noted (including anecdotal reports) for *N. obscurata* at sites sampled throughout Puget Sound.

Limiting Factors for *Nereocystis luetkeana* (bull kelp) Restoration, Laura Carney. Spores collected last fall for the spring gametophyte treatments did not survive so new spores were collected and cultures were started. HOBO data loggers were collected and light/temperature will be analyzed. Plots were cleared of macroalgae and set up for the next two treatments.

Physiological Assessments of Vigor in Pacific Estuary Invaders, Brian Maricle. Brian has been conducting numerous lab and greenhouse experiments on aerenchyma formation and oxygen transport in *Spartina* and looking at photosynthesis in *Spartina*. These physiological measurements may help explain zonation patterns in Pacific estuaries. *Spartina* is able to survive on low-level mudflats (where plants were not growing before) because its physiology is adept to confront low-oxygen levels, high salinity and possibly high sulfide levels.

Aerial Photos of Padilla Bay Eelgrasses

The project was completed by August 31, 2001. (See January 2002 report for details)

Chapter 2 -- Section 309

Task 2.1 Implementation of Legislative Changes to the Shoreline Management Act

SEA Program staff work has continued to focus on:

1. Supporting and keeping staff and contractor abreast of settlement negotiation developments: in December 2001 the principal parties to the guidelines lawsuit began meeting. This effort continued through the entire reporting period, drafting new guidelines language, and ultimately addressing issues related to funding and compliance deadline extensions (which will require legislative changes).
2. conferring with the Attorney General's Office regarding the appeal of the SHB decision to Superior Court
3. Staff and consultant preparation of draft guidebook materials designed to be available at such time as new guidelines are in effect. Only minimal progress was made in this regard, focusing on gaining practical understanding of shoreline inventory methodologies (see below) and in updating draft Guidebook materials on subjects not covered in the guidelines negotiations, such as SMP organization, SMA/GMA integration, public access requirements and water dependent uses.
4. Outreach in the form of:
 - direct technical assistance to local governments conducting shoreline inventory and assessment for SMP updates through Guidelines Outreach and Assistance Team efforts (made up of SEA technical staff) - this is coordinated with those local governments receiving CZM 306 grants for update of their SMPs.
 - web-based development of a guidelines home page addressing inquiries on guidelines status, available scientific and technical information and related guidance
5. No cost time extension of consultant contract to December 2002.

Chapter 3 -- Section 6217

Task 3.1 Managing Nonpoint Pollution in the Coastal Zone

Dairy Inspections and Monitoring

From January 1 to June 30, 2002, Janet Burcham completed the following water quality inspection and enforcement work, as authorized by the Dairy Nutrient Management Act (RCW 90.64) and the Water Pollution Control Act (RCW 90.48):

- 50 Dairy inspections
- 2 Warning letters (informal enforcement)
- 1 Notice of Violation (formal enforcement)
- 1 Administrative Order (formal enforcement)
- 1 \$8,000.00 Penalty (formal enforcement)

The Warning Letters were issued after dairy farm areas were detected to have a low to moderate potential to discharge contaminants to state waters.

The Notice of Violation, Administrative Order and Penalty were issued after completing inspections and discharges of manure or other contaminants into state waters were detected from two different dairy farms.

When Ecology staff provides an enforcement presence in the field and issue enforcement actions for direct discharges from dairy farms to state waters, the dairy industry receives a stable and predictable business climate, water quality is protected and coastal habitat conditions are improved.

Monitoring

Beyond Ecology monitoring the direct discharges to state waters caused by commercial dairy farms, the Northwest Indian College, as part of a Centennial Clean Water Fund Grant, completed bacteria water quality monitoring of the Lower Nooksack River, Sumas River, and their major tributaries from January 1 – June 30, 2002.

This monitoring effort is part of the Lower Nooksack River and Johnson Creek TMDL's. This water quality data helps confirm whether the combination of enforcement and technical assistance, required by the Dairy Nutrient Management Act (RCW 90.64), is having measurable results. Monitoring also helps Ecology staff to identify where constant sources of bacteria are located and to conduct inspections of farms upstream of those high bacteria monitoring stations.

The monitoring data for this time period show trends of consistently low bacteria levels in the Lower Nooksack River, Sumas River and their major tributaries. Interim or final water quality targets set forth within these TMDL's are now close to or are being met. This is good, well documented news for farmers, fish, and the aquatic coastal environment.

A good example of the low bacteria trends are Bertrand and Fishtrap Creeks, two major tributaries on the Lower Nooksack River. Monitoring by Ecology showed these two streams accounted for only 5% of the flow but 45% of the bacteria load to the Nooksack River, a river tributary to Puget Sound.

From January 1- June 30, 2002, Bertrand Creek beat the interim TMDL target and Fishtrap Creek did the same from April 1 – June 30, 2002. More importantly, these charts show less bacteria is entering two coastal streams and the Nooksack River over time. They also indicate that improvements in water quality and the aquatic environment is possible and is lasting in an area with one of the highest density of commercial dairy farms and cows along the coastal United States.

Bertrand Creek

Quarter	DATE	Geomean	10% exceedance	% reduction target	Target Geometric Mean	Target 10% Exceed	Reduction target
1Q98	1-Mar-98	301	1229	100%	301	1229	0.00%
2Q98	Jun-98						
3Q98	Sep-98						
4Q98	15-Dec-98	96	446	93.50%	281	1149	6.50%
1Q99	25-Mar-99	181	821	87.42%	263	1074	12.58%
2Q99	16-Jun-99	175	846	81.73%	246	1004	18.27%
3Q99	22-Sep-99	180	979	76.42%	230	939	23.58%
4Q99	21-Dec-99	175	1119	71.45%	215	878	28.55%
1Q00	28-Mar-00	156	754	66.80%	201	821	33.20%
2Q00	27-Jun-00	155	1460	62.46%	188	768	37.54%
3Q00	19-Sep-00	173	1460	58.39%	176	718	41.61%
4Q00	19-Dec-00	155	966	54.60%	164	671	45.40%
1Q01	13-Mar-01	113	966	51.05%	154	627	48.95%
2Q01	26-Jun-01	87	661	47.73%	144	587	52.27%
3Q01	25-Sep-01	84	661	44.62%	134	548	55.38%
4Q01	18-Dec-01	71	531	41.72%	126	513	58.28%
1Q02	26-Mar-02	60	410	39.01%	117	479	60.99%
2Q02	25-Jun-02	57	309	36.47%	110	448	63.53%
3Q02	Sep-02			34.10%	103	419	65.90%
4Q02	Dec-02			31.88%	96	392	68.12%
1Q03	Mar-03			29.81%	90	366	70.19%
2Q03	Jun-03			27.87%	84	343	72.13%
3Q03	Sep-03			26.06%	78	320	73.94%
4Q03	Dec-03			24.36%	73	299	75.64%
1Q04	Mar-04			22.78%	69	280	77.22%
2Q04	Jun-04			21.30%	64	262	78.70%
3Q04	Sep-04			19.91%	60	245	80.09%
4Q04	Dec-04			18.62%	56	229	81.38%
2Q05	Jun-05			16.27%	49	200	83.73%

Fishtrap Creek

Quarter	DATE	Geomean	10% exceedance	% reduction target	Target Geometric Mean	Target 10% Exceeded	Reduction target
1Q98	26-Mar-98	457	2314	100%	457	2314	0.00%
2Q98	Jun-98						
3Q98	Sep-98						
4Q98	9-Dec-98	235	3200	91.33%	417	2113	8.67%
1Q99	25-Mar-99	560	1356	83.41%	381	1930	16.59%
2Q99	16-Jun-99	440	1114	76.18%	348	1763	23.82%
3Q99	22-Sep-99	537	1164	69.58%	318	1610	30.42%
4Q99	21-Dec-99	438	1197	63.55%	290	1470	36.45%
1Q00	28-Mar-00	422	2261	58.04%	265	1343	41.96%
2Q00	27-Jun-00	429	2536	53.01%	242	1227	46.99%
3Q00	19-Sep-00	294	2536	48.41%	221	1120	51.59%
4Q00	19-Dec-00	247	2326	44.21%	202	1023	55.79%
1Q01	13-Mar-01	178	2037	40.38%	185	934	59.62%
2Q01	26-Jun-01	166	779	36.88%	169	853	63.12%
3Q01	25-Sep-01	160	966	33.68%	154	779	66.32%
4Q01	18-Dec-01	134	419	30.76%	141	712	69.24%
1Q02	26-Mar-02	136	370	28.10%	128	650	71.90%
2Q02	25-Jun-02	116	349	25.66%	117	594	74.34%
3Q02	Sep-02			23.44%	107	542	76.56%
4Q02	Dec-02			21.40%	98	495	78.60%
1Q03	Mar-03			19.55%	89	452	80.45%
2Q03	Jun-03			17.85%	82	413	82.15%
3Q03	Sep-03			16.31%	75	377	83.69%
4Q03	Dec-03			14.89%	68	345	85.11%
1Q04	Mar-04			13.60%	62	315	86.40%
2Q04	Jun-04			12.42%	57	287	87.58%
3Q04	Sep-04			11.35%	52	263	88.65%
4Q04	Dec-04			10.36%	47	240	89.64%
1Q05	Mar-05			9.46%	43	219	90.54%
2Q05	Jun-05			8.64%	39	200	91.36%

Forestry

Primary forestry work accomplished was in the Upper White Basin for TMDL monitoring and USFS technical document development. Staff performed the lead role for Ecology to keep efforts for this TMDL organized and moving forward. Staff has begun writing the overall TMDL document. Technical roles during this period included analyzing a cooperators data set of temperatures and getting them ready for use in the TMDL. Staff also analyzed and worked on portions of the write-up for a 5-year study of spawning habitat scour and redds survival to emergence. Both of these writing and analyses are expected to be completed in the next 6 months. The USFS TMDL draft is expected fall of 2002.

Staff continued to oversee implementation of the forest practices rules; provide staff support to Ecology's Forest Practices Board member and forests and fish policy group member; serve as member of the Cooperative Monitoring, Evaluation, and Research Committee (CMER), which oversees the adaptive management program.

Forested Wetlands

The Wetlands Scientific Advisory Group, a subcommittee of CMER, is presently conducting a wetlands literature review and designing a project to evaluate the regeneration of forested wetlands after timber harvest. Andy McMillan is a member of this group. Ecology recently intervened in a forest practice proposed on the Olympic Peninsula, and was successful in obtaining additional protection for a forested wetland complex.

Nisqually and Deschutes Watershed Protection

Staff work on and support the efforts of the Nisqually salmon habitat work group. This included working with the ranking of projects for SSRFB funding and providing input on salmon recovery actions.

River Basin Characterization

A collaborative effort began with the Pacific Northwest Laboratory to integrate watershed characterization tools to develop a spatially referenced database for evaluating the changes in ecological processes for the entire Puget Sound region. The initial development phase is focused on the Chehalis Basin, but methods will then be applied to the remaining coastal watersheds. Watershed characterization efforts continued to focus on integrating landscape-scale assessment of ecosystem processes into technical guidance for the Shoreline Management Rule. This included technical participation in the Guidance and Outreach Assistance Team that provided assistance to local jurisdictions in applying the concepts during the inventory and submittal stage of Shoreline planning. Part of this effort applied landscape principles to a watershed planning effort in the Drayton Harbor drainage. Work continued in developing guidance materials on the integration of landscape concepts into other activities in the SEA Program, including Floodplain Planning, Watershed Planning, watershed assessment, wetland restoration and SEA Program regulatory activities (section 404/401 permits, shoreline permits) Two technical workshops were held to introduce the application of landscape concepts to wetland regulatory activities.

Coastal Nonpoint Septic Education

Two "train the trainer" workshops were held in 2002. On February 21, *The Secrets of a Successful Septic Education Program, part 2* was held in Mount Vernon. There were 17 attendees from various agencies, such as County Health Departments, Parks and Recreation Departments, EPA, and Tribes. The four presenters were from WA Sea Grant, Skagit County Health Department, and Septic Alert.

The second workshop was held in Lacey on March 14. There were 22 attendees from Health Departments, PSAT, Public Works, Ecology, and non-profits. The 2 presenters were from WA Sea Grant and Padilla Bay Reserve.

State Of Washington
Department Of Ecology
Shorelands and Environmental Assistance Program

Coastal Zone Management
Section 306, 306A, 309 and 6217 Grant

Federal Fiscal Year 2001
Grant Award No. NA17OZ1143

Section "B"

Semiannual Report
For the period January 1, 2002 through June 30, 2002

2 nd Semi-Annual Report

July 2002

Table 1. Shoreline Permits — January 1, 2002 - June 30, 2002

County	Region	SDPs ¹	CUPs ²	VARs	CUPs Denied ³	VARs Denied	Total Projects ⁴
Island	NW	02	0	0	0	0	02
King	NW	37	0	4	0	0	40
Kitsap	NW	02	0	0	0	0	02
San Juan	NW	16	03	01	0	0	16
Skagit	NW	03	0	03	0	0	04
Snohomish	NW	06	02	02	0	0	09
Whatcom	NW	06	05	03	0	0	11
Clallam	SW	03	0	0	0	0	03
Grays Harbor	SW	16	04	03	0	0	16
Jefferson	SW	03	03	0	0	0	03
Mason	SW	06	0	03	0	0	08
Pacific	SW	09	0	0	0	0	10
Pierce	SW	22	03	07	0	0	25
Thurston	SW	07	02	01	0	0	08
Wahkiakum	SW	02	02	02	0	0	02
TOTAL		139	24	30	0	0	159

¹ Substantial Development Permits² Conditional Use Permits³ Variances⁴ Total permitted projects (NOTE: Some projects have multiple shoreline permits)

Table 2. Shorelines Hearings Board Cases

Ecology as Respondent	1
Ecology as Appellant	4
Ecology not a Party	6
Total Appeals	11

Table 3. Shoreline Enforcement Actions

Formal Enforcement Actions	Notice of Correction	Orders to Restore or Abate	Penalties Issued	Totals For Reporting Period
Joint State and Local Government	1	1	1	3
State (Ecology)	2	0	0	2

Table 4. Shoreline Master Program Amendments

Approved	Approved with Conditions	Denied	Pending Local	Pending Ecology
3	2		8	4

Table 5. Direct Federal Agency Activities - Section 307 (C) (1) And (2)

[illegible]

Table 6. Federal Licenses and Permits - Section 307(C)

Federal Permitting Agency	Type Of Permit	Number of Concurrences	Non - Compliance W/ST Program	Pending State Approval	Pending State/Local Review	Review Time	Court Cases	Permits Received	Average Process Time
ACOE	S404/NWP	108	0		67		0		180 days
FERC	401	1					1		180 days

Table 7. Federal Assistance to State and Local Governments - Section 307(D)

Federal Agency	Type of Assistance	Number of Applications	Number of Concurrences	Insufficient Information	Inconsistent with State	Concurrence After Modifications	Total Pending	Total Received	Average Processing Time
Rural Development	Community Assistance	3	3					3	18 days

Table 8 SEPA Documents Received and Reviewed

TOTAL Documents Received Statewide	
	Documents Received Per CZM County
79	Clallam
98	Grays Harbor
114	Island
44	Jefferson
796	King
123	Kitsap
58	Mason
29	Pacific
354	Pierce
29	San Juan
113	Skagit
449	Snohomish
131	Thurston
11	Wahkiakum
186	Whatcom
2,614	TOTAL Coastal Counties

Coastal Zone Management

Washington State Department of Ecology

Local Government Grants – Semi-Annual Progress Report

Reporting Period (7/1/2001 – 12/31/2001)

FFY 01

Recipient	Type	Project Officer	Comments
Blaine, City of Water Access / Habitat Preservation: North shoreline of Marine Drive Extension	CZM 306 G0200068	Barry Wenger Start: 7/1/01 End: 6/30/02	The project has been divided into three sub-projects; Marine Boardwalk, Public Access and Wildlife Protection. Staff has collected information about other similar marine boardwalk projects and assessing costs and timetables. One of the issues that emerged from this task is the possible tie-in with planned improvements to Marine Drive. The Public Access Committee has completed a fairly extensive literature review. Anne Eissinger (Nahkeeta Northwest) prepared an extensive wildlife inventory and protection plan. The Wildlife Committee has completed its literature review. The Public Works Department prepared a baseline map with shoreline and built systems data. The GIS based map has been used for inventory purposes. Inventory is still proceeding forward because historical surveys and photos are difficult to find. Together the GIS map and related inventory data will be updated and improved upon until the projects have been completed. The grant has been extended to mesh with new baseline work being performed by the city this summer and fall
Clallam County Nearshore and Marine Outreach	CZM 306 G0200073	Cynthia Nelson Start: 7/1/01 End: 6/30/02	The newspaper insert has been completed and distributed to the Sequim Gazette. It will also be included in a mailing of the Peninsula Daily News in the near future. Extra copies will be available at public resource-related functions.
Everson, City of Supplemental Shoreline Inventory	CZM 306 G0200085	Barry Wenger Start 9/1/01 End: 10/1/02	The city staff and consultant have been coordinating with the county ESA coordinator and the local tribal entities to compile a comprehensive baseline of fish and wildlife data. Inventory and analysis has been slowed due to relying on the watershed lead entities work schedules.
Gig Harbor, City of SMP Update	CZM306 G020048	Randy Davis Start 7/1/01 End: 6/30/02	Project is a comprehensive update of the SMP. The recipient has completed the draft shoreline inventory and it's currently under review by resource agencies. The grant completion date was extended to November 30 th .

Coastal Zone Management

Washington State Department of Ecology

Local Government Grants – Semi-Annual Progress Report

Reporting Period (7/1/2001 – 12/31/2001)

FFY 01

Recipient	Type	Project Officer	Comments
Island County 2001-2002 Volunteer Training Program, (etc.)	CZM306 G0200036	Alice Schisel Start: 7/1/01 End: 6/30/02	<p>On February 2nd BW held Sound Waters, their annual "one day university." This year's theme was "Near the Shore". Dr. Charles Simenstad gave the keynote address on "Salmon 'Bed and Breakfasts' on Puget Sound's Near Shore," and 26 classes were offered. A record 240 people attended.</p> <p>During the reporting period, the annual training for new Beach Watcher volunteers was conducted on Camano Island for the first time, with new classes on Salmon and the Nearshore added to the schedule. There are now 22 new and highly motivated Beach Watcher volunteers on Camano Island who have already contributed many hours of volunteer time on education projects, beach monitoring, shoreline hardening surveys and numerous other activities since completing training on April 30th.</p> <p>The 11th annual Penn Cove Water Festival on May 11th was one of the most successful to date. New Outreach Coordinator Judy Feldman began work on January 1st (.35 fte), adding staff dedicated specifically to community outreach efforts. There has been an immediate benefit, with improved publicity and increased attendance at events, and with heightened educational activities at this year's Water Festival, including a free printed Program that contained information about near shore habitat, nonpoint pollution, stormwater runoff and beach etiquette.</p> <p>A few other WSU Beach Watcher projects during the first half of 2002:</p> <ul style="list-style-type: none"> • Accredited classes (one on Camano, one on Whidbey) for 56 Real Estate Professionals about "Geology and Coastal Bluffs on an Island," taught by Jim Johannessen. • GPS mapping of shoreline alterations on the entire perimeter of Camano Island. <p>Monitoring of 6 new beaches on Camano Island</p>

Coastal Zone Management

Washington State Department of Ecology

Local Government Grants – Semi-Annual Progress Report

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Mason County Digital Mapping of Shorelands Parcels	CZM306 G0200228	Ann Boeholt Start: End:	We completed the scope of work and forwarded the Grant agreement to Mason County at the end of March. At the time they thought they still may have had time to complete the grant by June. But they were unable to hire a GIS consultant at such late notice. We have granted an extension to November 30, 2002.
Monroe, City of Inventory (only) in preparation for SMP Update	CZM306 G0200041	Alice Schisel Start: 7/1/01 End: 6/30/02	The City has presented the first draft of its inventory assessment document to Ecology for review and is close to completing its inventory "atlas", a compilation of maps documenting shoreline resources. Ecology met with City staff and their consultant in late June to discuss our recommendations for enhancing the draft assessment. As additional time will be needed to incorporate the suggested changes, a grant extension, to November 30, 2002, is being processed
Mukilteo, City of SMP Update – Final Phase	CZM 306 G0200090	Alice Schisel Start: 7/1/01 End: 11/30/02	Using a phased approach funded through CZM grants, the City has been working for several years to complete a new SMP modeled after the "Path B" approach of the invalidated Guidelines. Ecology has recently suggested significant revisions to the draft "agency review" document submitted this spring. The revisions, needed to assure that inventory data will better inform policies and regulations in the SMP, will delay SMP completion, originally scheduled for November 2002. As a result, the City will seek an amendment to the grant's scope of work to more realistically reflect SMP tasks expected to be accomplished by November. The City is committed to completing the SMP without additional CZM funding.
North Bend, City of SMP Update	CZM 306 G0200104	Bob Fritzen Start: 7/1/01 End: 6/30/02	The expiration date of the grant has been extended from June 30, 2002 to November 30, 2002. The draft recommendations were completed on April 11, 2002. The additional time was needed in order to secure substantive comment from the public, agencies, tribes and organizations which has had limited success to date.

Coastal Zone Management

Washington State Department of Ecology

Local Government Grants – Semi-Annual Progress Report

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Pacific County Involvement in Bio-intensive Spartina control (public outreach / networking)	CZM 306 G0200046	Perry Lund Start: 7/1/01 End: 6/30/02	Through the Columbia Pacific Resources Center, there have been several excellent newsletters produced, public workshops, landowner outreach efforts, and a field trip for public officials, the public, and agencies.
Port Orchard, City of Resource Analysis and Inventory (Sinclair Inlet and Blackjack Creek) Water Quality/Natural Resource Training for Realtors	CZM 306 G0200081	Sandra Lange Start date: 7/1/01 End Date: 6/30/02	Ecology SEA staff –Sandra Lange, Hugh Shipman, Tim Gates, and Cinde Donahue met with Rob Wenman and Affiliated to go over the data collected so far and the work to still be done on the inventory. With this input, the City and Consultant continued to work on the shoreline inventory in preparation for their SMP amendment, shoreline designations and new maps. They have completed their work, but we are awaiting the final deliverable, which we expect by 8/1/2002 and request for final payment.
Port Townsend, City of SMP Update, Phase 1	CZM 306 G0200034	Randy Davis Start: 7/1/01 End: 11/30/02	Project is Phase I of the comprehensive update of the SMP and involves the preparation of a shoreline inventory and atlas. The shoreline inventory was completed this month. The grant completion date was extended to August 31 st to complete the shoreline atlas.
Port Townsend, Port of Heritage Campus Public Access	CZM 306 G0200076	Jeff Stewart Start: 7/1/01 End: 11/30/02	They have completed trail design, preliminary dock design, done a biological survey and a topographic survey. They have gotten an appraisal on the value of land between the existing buildings for easement purposes, and consulted with owners and agencies about easements, but haven't yet written these up. They have developed ideas and formats for interpretive signage, but have yet to make final decisions on content.
Steilacoom, Town of Marine Outreach Program	CZM306 G0200069	Jeff Stewart Start: 7/1/01 End: 11/30/02	Ecology Project officer has changed on this grant due to budget. Jeff has not received an updated status report on this project. Jeff will be working with the Town to assure completion of the grant.

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Washington State Department of Ecology

Local Government Grants – Semi-Annual Progress Report

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FFY 01

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Blaine, City of Water Access / Habitat Preservation: North shoreline of Marine Drive Extension	CZM 306 G0200068	Barry Wenger Start: 7/1/01 End: 6/30/02	The project has been divided into three sub-projects; Marine Boardwalk, Public Access and Wildlife Protection. Staff has collected information about other similar marine boardwalk projects and assessing costs and timetables. One of the issues that emerged from this task is the possible tie-in with planned improvements to Marine Drive. The Public Access Committee has completed a fairly extensive literature review. Anne Eissinger (Nahkeeta Northwest) prepared an extensive wildlife inventory and protection plan. The Wildlife Committee has completed its literature review. The Public Works Department prepared a baseline map with shoreline and built systems data. The GIS based map has been used for inventory purposes. Inventory is still proceeding forward because historical surveys and photos are difficult to find. Together the GIS map and related inventory data will be updated and improved upon until the projects have been completed. The grant has been extended to mesh with new baseline work being performed by the city this summer and fall
Clallam County Nearshore and Marine Outreach	CZM 306 G0200073	Cynthia Nelson Start: 7/1/01 End: 6/30/02	The newspaper insert has been completed and distributed to the Sequim Gazette. It will also be included in a mailing of the Peninsula Daily News in the near future. Extra copies will be available at public resource-related functions.
Everson, City of Supplemental Shoreline Inventory	CZM 306 G0200085	Barry Wenger Start 9/1/01 End: 10/1/02	The city staff and consultant have been coordinating with the county ESA coordinator and the local tribal entities to compile a comprehensive baseline of fish and wildlife data. Inventory and analysis has been slowed due to relying on the watershed lead entities work schedules.
Gig Harbor, City of SMP Update	CZM306 G020048	Randy Davis Start 7/1/01 End: 6/30/02	Project is a comprehensive update of the SMP. The recipient has completed the draft shoreline inventory and it's currently under review by resource agencies. The grant completion date was extended to November 30 th .

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Sultan, City of Osprey Park Pedestrian Bridge Placement	CZM 306A G0200025	Joan Velikanje	The City of Sultan installed the Osprey Park footbridge in September, 2001. Interpretive signs were installed at the trail head, two places on the trail before the bridge, at the bridge and at the river. Trail work had been started on 1st Street on the north side of the soccer field, followed an old logging road down to the river and linked up with another trail system in Osprey Park.. Light grading was done and then gravel installed on the pathway. Picnic tables were installed at the trailhead and some landscaping has been accomplished. Because work was being conducted on an existing road, only vegetation was clipped that was necessary to get equipment through to set the bridge. The actual vegetation plan was for around the bridge area which included native plants and trees. The City is constantly monitoring this site as the trail is being maintained. Both the HPA and pictures of bridge installation are available on file.
Sumner, City of Phase 2: SMP Update	CZM306 G0200047	Randy Davis Start: 7/1/01 End: 6/30/02	Phase II is the preparation of a final draft SMP and its review and adoption. The first draft SMP is complete. The local adoption process will occur this summer. The grant completion date was extended to September 30 th .
Wahkiakum County SMP Update	CZM306 G0200039	Randy Davis Start: 7/1/01 End: 6/30/02	This project is Phase I of the SMP update and involves the preparation of a shoreline atlas. The recipient has completed the shoreline inventory work. The grant completion date was extended to September 30 th to complete the shoreline atlas.
Wahkiakum, Port District 2 Columbia River Estuary Dredged Material Management Plan	CZM306 G0200124	Brad Murphy Start: 7/1/01 End: 6/30/02	Draft report was completed in February and a final report is expected in early August.

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FFY 01

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Whatcom Council of Governments Phase 2: Birch Bay Shoreline Improvement Plan	CZM306 G0200087	Barry Wenger Start: 7/1/01 End: 6/30/02	Planning shoreline enhancement efforts have been undertaken in concert with the Birch Bay Comprehensive Plan update being finalized by Whatcom County and several other entities. Key issues have been raised concerning public access, lack of boat launch facilities, under grounding of utilities, restoring the natural beach berm, and removal of existing concrete structures e.g. groins, bulkheads, etc. Scientific analysis and evaluation of berm restoration is currently being completed in concert with two other intensive studies related to coastal flooding and beach process in Birch Bay. The grant has been extended to maximize efficiencies of meshing the new data and analysis
Whatcom Council of Governments Whatcom County Beachwatch	CZM306 G0200082	Barry Wenger Start: 7/1/01 End: 6/30/02	This project is ahead of schedule having completed training of a large number of volunteers, held field education efforts at seven targeted public beaches, and worked with 750 beach users improving shellfish harvest methods, beach etiquette, and garbage removal. Several workshops were held this spring focusing on forage fish habitat, beach processes, and several field classes. Extension of this grant also allowed for a more efficient use of funds by matching it with other available efforts.
Whatcom County Marine Shoreline Land Use Inventory	CZM306 G0200086	Barry Wenger Start: 7/1/01 End: 6/30/02	The county has made excellent progress in compiling existing and new data into an integrated GIS CD coverage including new aerial photos and a Puget Sound Action Team shore zone inventory. Preliminary verification of the data has revealed some interpretation problems that need to be corrected. Field truthing of the data sets is planned in the near future, although the grant is essentially completed.